

REMARKS

The Office Action mailed December 12, 2008, has been received and its contents carefully noted. Claims 1-17 are pending, claim 8 was objected to and claims 1-7 and 9-17 were rejected. By this Response, claim 1 has been amended. Support may be found in the specification and the claims as originally filed. See, for example, page 20, lines 1-23, of the specification. No statutory new matter has been added. Therefore, reconsideration and entry of the claims, as amended, are respectfully requested.

Rejection under 35 U.S.C. 103(a)

The Examiner maintained the rejection of claims 1, 2, 7, 9, 12, 13, 16 and 17 under 35 U.S.C. 103(a) as being unpatentable over Sakamoto (US 20020001788). The Examiner also maintained the rejections of claims 3 and 4 as being unpatentable over Sakamoto in view of Yoo (US 20030162372), claim 5 as being unpatentable over Sakamoto in view of Yoo and AAPA, claim 6 as being unpatentable over Sakamoto in view of Yoo and further in view of Watanabe (US 5,863,602), and claims 10, 11, 14 and 15 as being unpatentable over Sakamoto in view of Jun (US 6,211,094).

Applicants respectfully urge that the characteristic features specified in all of independent claims 1, 12, 16 and 17, as amended, are as follows:

(1) The (plurality of) first substrates are different from the (plurality of) second substrates; and

(2) The feature of “less consumption” is characteristic of the first substrates, and the feature of “more consumption” is characteristic of the second substrates. See Applicants’ discussion at, for example, page 20, lines 1-23, which compares consumption of radicals during film growth on dummy wafers (the “first substrates” already having some oxide film thereon) versus bare wafers (the “second substrates”). This also is discussed in connection with “loading effect” in Applicants’ first Response of September 16, 2008. The “less consumption” and “more consumption” characteristics are not dependent on the thickness of the deposited films but rather on the nature of the substrates (they are different).

Applicants respectfully submit that Sakamoto simply does not teach or suggest anything of the above features (1) and (2). Applicants respectfully urge that the admitted prior art (APA) Yoo, Watanabe, and Jun, alone or in combination, fail to alleviate the deficiencies of Sakamoto. Specifically, the cited documents do not teach or suggest Applicants' different substrates and different consumption amounts.

Therefore, Applicants respectfully urge that the claims, as amended, are unobvious and the rejection under 35 U.S.C. 103(a) should be withdrawn.

Allowable Subject Matter

Applicants appreciate the Examiner's indication that claim 8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Request for Interview


Applicants respectfully request either a telephonic or an in-person interview should there be any remaining issues.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Therefore, it is respectfully requested that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefor are hereby authorized to be charged to **Deposit Account No. 02-4300, Attorney Docket No. 033082 M 241.**

Respectfully submitted,
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